

FILED

IN THE UNITED STATES DISTRICT COURT FOR THE 98 OCT -5 PM 1:13  
 NORTHERN DISTRICT OF ALABAMA  
 WESTERN DIVISION

U.S. DISTRICT COURT  
N.D. OF ALABAMA

DOUGLAS HOWARD EVANS,

Plaintiff,

vs.

CV 98-P-2065-W

TAYLOR HARDIN SECURE MEDICAL  
 FACILITY, TIMOTHY LONG, NELDA  
 BALL, DARRELL GORDON, LESLIE  
 ADAMS, CORACE NEVELS, and  
 DONALD TYSON,

Defendants.

ENTERED

OCT - 5 1998

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on September 11, 1998, recommending that this action filed pursuant to 42 U.S.C. § 1983 be dismissed under 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on September 23, 1998.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is due to be dismissed as frivolous pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 5<sup>th</sup> day of October, 1998.
  
 SAM C. POINTER, JR.

CHIEF UNITED STATES DISTRICT JUDGE